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October 24, 2023

VIA ECF

Honorable Dale E. Ho
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Courtroom 905
New York, New York 10007

Application GRANTED. The court-ordered mediation is adjourned pending the end of the opt-in period. The parties are directed to file the stipulation, proposed order, and proposed notice by **Friday, November 3, 2023**.

SO ORDERED



Dale E. Ho
United States District Judge

Dated: October 25, 2023
New York, New York

Re: *Mayancela v. Total Home Improvement Services Inc.*,
23 Civ. 7680 (DEH)(BCM) (Adjourn Mediation During Opt-in Period)

Dear Judge Ho:

We represent Plaintiffs Christian Mayancela, John Ramirez, and the opt-in plaintiffs against Defendants Total Home Improvement Services Inc., KVL Painting Services Corp., John Doe Corps., and Jimmy Andrade (collectively, the "Parties"). Per Rule 2(e) of the Court's Individual Rules and Practices in Civil Cases, the Parties jointly submit this letter-motion requesting to adjourn Court-ordered mediation in this Action. This is the first time that the Parties make this request.

The Parties have agreed to stipulate to the conditional certification of a collective action under the Fair Labor Standards Act ("FLSA"). As such, it would be premature for the Parties to attend a mediation at this point. Instead, the Parties wish to attend mediation after the end of the FLSA collective opt-in period. The Parties expect to submit their stipulation, proposed order, and proposed notice to the Court by November 4, 2023.

The Parties are available to discuss with the Court if necessary and thank the Court for its time and attention to this matter.

Respectfully submitted,

/s/ *Gianfranco J. Cuadra*

Gianfranco J. Cuadra

cc: Counsel for Defendants (via ECF)